Human Rights

INTERNATIONAL HUMANITARIAN LAW AND HUMAN RIGHTS

Fact Sheet No. 13

World Campaign for Human Rights

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Introduction

International humanitarian law has a brief but eventful history. It was not until the second half of the nineteenth century that nations agreed on international rules to avoid needless suffering in wars—rules they bound themselves to observe in a Convention.

Since then, the changing character of armed conflict and the destructive potential of modern weapons have made necessary many revisions and extensions of humanitarian law in long and patient negotiations.

This Fact Sheet traces the evolution of international humanitarian law and outlines its present-day scope and meaning both for combatants and for civilians caught up in armed conflicts.

First of all, a definition is needed. What is international humanitarian law ? This body of law can be defined as the principles and rules which limit the use of violence in times of armed conflict. The aims are:

To protect persons who are not, or are no longer, directly engaged in hostilities—the wounded, shipwrecked, prisoners of war and civilians;

To limit the effects of violence in fighting to the attainment of the objectives of the conflict.

The evolution of international law related to the protection of war-victims and to the conduct of war has been strongly affected by the development of human rights legal protection after the Second World War. The adoption of important international instruments in the field of human rights—such as the Universal Declaration of Human Rights (1948), the European Convention on Human Rights (1950) and the International Covenant on Civil and Political Rights (1966)—contributed to affirm the idea that everyone is entitled to the enjoyment of human rights, whether in time of peace or war.

During wartime or public emergency, however, the enjoyment of certain human rights may be restricted under certain circumstances. Article 4 of the International Covenant on Civil and Politi-

cal Rights allows States to take measures temporarily derogating from some of their obligations under the Covenant "in time of public emergency which threatens the life of the nation", but only "to the extent strictly required by the exigencies of the situation". Article 15 of the European Convention on human rights contains a similar rule. Annually the Sub-Commission on Prevention of Discrimination and Protection of Minorities carries out a review of states of emergency and respect for human rights during such situations.

However, the need of safeguarding human rights even during wartime has been fully recognized; article 3 of the four Geneva Conventions on humanitarian law of 1949 provides that in times of armed conflict persons protected by the conventions should "in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria".

At the forthcoming 43rd session of the Sub-Commission on Prevention of Discrimination andProtecion of Minorities (5-30 August 1991) a report of the Secretary-General on education regarding respect for human rights in armed conflicts will be presented under item 4 of the provisional agenda (E/CN.4/Sub.2/1991/5). Two years ago the Sub-Commission adopted resolution 1989/24 on "Human rights in times of armed conflict", deploring the frequent lack of respect during such conflicts of relevant provisions in international humanitarian law and the law of human rights. At its forty-sixth session the Commission on Human Rights adopted resolution No. 1990/60 recognizing the vital role of the International Committee of the Red Cross in the dissemination of international humanitarian law and calling upon States "to give particular attention to the education of all members of security and other armed forces, and of all law enforcement agencies, in the international law of human rights and international humanitarian law applicable in armed conflicts".

Three main currents have contributed to the making of international humanitarian law. They are the "law of Geneva", represented by the international Conventions and Protocols established under the aegis of the International Committee of the Red Cross (ICRC) with the protection of the victims of conflict as their central concern; the "law of The Hague", based on the results of the Peace Conferences in the capital of the Netherlands in 1899 and 1907, which dealt principally with the permissible means and methods of

war; and the efforts of the United Nations to ensure that human rights are respected in armed conflicts and to limit the use of certain weapons.

Increasingly, these three currents have merged to form one stream of action.

In the beginning . . .

As French and6ustrian armies fought the battle of Solferino in northern Italy in June, 1859, the idea of international action to limit the suffering of the sick and wounded in wars was born in the mind of Henri Dunant, a young Swiss citizen.

Dunant found himself, more or less by accident, among thousands of French and Austrian wounded after the battle, and with a few other volunteers did what he could to ease their suffering. Appalled by what he had seen, he then wrote a book *Un souvenir de Solferino*, published in 1862, in which he suggested that national societies should be created to care for the sick and wounded irrespective of their race, nationality or religion. He also proposed that States should make a treaty recognizing the work of these organizations and guaranteeing better treatment for the wounded.

With four friends, Henri Dunant then set up the International Committee for Aid to the Wounded (soon to be renamed the International Committee of the Red Cross). Dunant's ideas met a wide response. In several countries national societies were founded and at a diplomatic conference in Geneva in 1864 the delegates of 16 European nations adopted the Convention for the Amelioration of the Condition of the Wounded in Armies in the Field.

This document, the First Geneva Convention, enshrined the principles of universality and tolerance in matters of race, nationality and religion. The emblem, a red cross on a white field, was adopted as the distinguishing mark of military medical personnel. In Islamic countries, the emblem is a red crescent on a white field. Medical staff and installations were from this time on to be considered as neutral.

The Convention formally laid the foundations of international humanitarian law.

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International agreements broadened

The need to give broader scope to the Geneva Convention was soon evident. In 1868, a new draft convention was drawn up with the idea of extending the principles adopted four years earlier to maritime conflicts. In another move, the St. Petersburg Declaration of 1868 called on States not to use arms which cause unnecessary suffering. The Declaration prohibited the use of explosive bullets.

The Peace Conferences at The Hague in 1899 and 1907 adopted conventions defining the laws and customs of warfare and declarations forbidding certain practices, including the bombardment of undefended towns, the use of poisonous gases and soft-nosed bullets. The conferences failed to agree on a system of compulsory arbitration as a means of settling disputes which threaten peace.

In 1906, the First Geneva Convention was revised to give greater protection to victims of war on land, and in the following year all its provisions were formally extended to situations of war at sea.

Respect for the Geneva Convention and operations led by the ICRC played a vital role in saving lives and preventing needless suffering in the First World War (1914-1918). However, the disastrous human toll of the conflict convinced the international community that the Convention must be strengthened.

In this spirit, a conference in Geneva in 1929 adopted a Convention with better provisions for the treatment of the sick and wounded, and a second Convention on the treatment of prisoners of war. Four years earlier, a Protocol had been adopted at a League of Nations conference to prohibit the use of asphyxiating and poisonous gases.

The Spanish Civil War (1936-1939) and the Second World War (1939-1945) provided compelling evidence of the need to bring international humanitarian law once again into line with the changing character of warfare.

The decision was taken to make a fresh start and new Geneva Conventions were drawn up covering, respectively, the sick and wounded on land (First Convention), wounded, sick and shipwrecked members of the armed forces at sea (Second Convention),

prisoners of war (Third Convention), and civilian victims (Fourth Convention). These Conventions were adopted at an international diplomatic conference held in Geneva from April to August, 1949.

An important innovation—common to all the Conventions—is that they establish minimum rules to be observed in *internal* armed conflicts.

The four Geneva Conventions remain in force today. However, over the past four decades, new forms of armed conflict, often sharp and violent but localized and involving limited numbers of troops and other combatants, have arisen. The changing nature of armed struggle called for further action.

Thus, the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law, which met in Geneva from 1974 to 1977, adopted two Additional Protocols to the 1949 Conventions.

Protocol I deals with the protection of victims of international conflicts. Protocol II concerns the victims of internal armed conflicts, including those between the armed forces of a government and dissidents or other organized groups which control part of its territory, but does not deal with internal disturbances and tensions in the form of riots, or other isolated and sporadic acts of violence.

The Diplomatic Conference also recommended that a special conference be called on the question of prohibiting on humanitarian grounds the use of specific conventional weapons.

On 31 December 1990, 164 States were parties to the Geneva Conventions, while 99 States had ratified or acceded to Protocol I and 89 States had ratified or acceded to Protocol II. At the United Nations General Assembly's request, the Secretary-General of the United Nations reports periodically on the state of acceptance of the Protocols.

Points from the Protocols

Certain aspects of the Protocols, as the most recent development in the "law of Geneva", merit a wider description. Protocol I (international conflicts) develops the rules concerning the role of

Protecting Powers designated by each party to a conflict, to supervise the application of the Conventions and Protocols. It has provisions to improve the condition of the wounded, sick and shipwrecked, and provides for the collection and providing of information concerning the missing and dead.

In prohibiting the use of methods and means of warfare which may cause superfluous injury, unnecessary suffering and widespread, long-term and severe damage to the environment, Protocol I marks the end of the separation between the "law of Geneva" and the "law of The Hague".

Any combatant who falls into the hands of the adversary shall be considered as a prisoner of war, and the measures for the protection of prisoners are described. However, neither spies nor mercenaries have the right to prisoner-of-war status.

Protocol I provides for protection of civilians as well as for those civilians who fall into the hands of the adversary. The parties to a conflict must always distinguish between civilians and combatants. Starvation of civilians and attacks on the natural environment are specifically prohibited.

There are special measures for the protection of women and children, and journalists on dangerous missions are to be treated as civilians. Particularly favourable treatment is also granted to medical personnel, whether civilian or religious, and to the transport of their equipment and supplies. Similar rules are included in Protocol II with reference to situations of internal armed conflict.

Protocol II contains rules relating to the victims of non-international armed conflicts and thus completes the basic principles laid down in article 3 (annex to the 1949 Convention).

Both Protocols call furthermore for humane treatment of all persons who do not, or no longer, take part in hostilities. Murder, torture, mutilation and corporal punishment are totally banned. There are provisions for the care of the sick, wounded and shipwrecked, and for the protection of civilians against acts or threats of violence, starvation as a method of combat, and forced movement. Hostile acts against historic monuments, works of art, or places of worship—or their use in support of military aims—are prohibited.

The United Nations role

The maintenance of peace, and the prevention of armed conflict are the vital concerns of the United Nations. Respect for human rights at all times and in all places is a fundamental principle of the Organization.

In 1949, the International Law Commission decided not to put the law of armed conflict on its agenda as attention to this branch of international law might be seen as a lack of trust in the capacity of the United Nations to maintain peace and security.

From the outset, however, United Nations bodies have cited the Geneva Conventions and Protocols, and have urged States to ratify, or to be guided by them. The application of humanitarian law features constantly in the debates and decisions of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

In the 1960s, the United Nations broadened its involvement in the building of a system of international humanitarian law. A new phase began in co-operation, interaction, and mutual support of humanitarian initiatives between the United Nations and the ICRC.

In 1967, the United Nations Security Council (resolution 237) stressed that human rights must be respected by all the parties to a conflict; they must fulfil all the obligations accepted by them in the Geneva Conventions of 1949. This resolution was welcomed by the United Nations General Assembly (resolution 2252) and has often been recalled and reaffirmed.

The Teheran Conference

The International Conference on Human Rights in Teheran in 1968 (the International Year for Human Rights) declared that humanitarian principles must prevail during periods of armed conflict.

In the same year, the United Nations General Assembly, in resolution 2444 (XXIII) endorsed the conference's recommendation that the Secretary-General of the United Nations, after consulting

with the ICRC, should bring the attention of all States members of the United Nations to the existing rules of international humanitarian law, and urge them, pending the adoption of new rules, to ensure that civilians and combatants are protected in accordance with "the principles of the law of nations derived from the usages established among civilized peoples, from the laws of humanity and from the dictates of public conscience".

New rules were needed, the conference agreed, to give better protection to civilians, prisoners of war and combatants, while certain military practices and combat methods should be banned as too inhumane.

General Assembly resolution 2444 also affirmed a resolution of the Twelfth International Conference of the Red Cross and Red Crescent (Vienna, 1965) which laid down three basic principles of action in armed conflict:

The right of parties to a conflict to adopt means of injuring the enemy is not unlimited;

It is prohibited to launch attacks on civilian populations as such;

A distinction must be made at all times between persons taking part in hostilities and members of the civilian population so that the latter are spared as much as possible.

With the adoption of resolution 2444, the General Assembly declared as unacceptable the idea of waging war against the entire population in an attempt to force the adversary to give up. The resolution also marked the acceleration of the movement to bring the three currents of international humanitarian law—Geneva, The Hague, and the United Nations—into one main stream. It recognized the interaction between rules to protect the victims of war, to establish rules of combat, and to protect human rights in armed conflicts.

A level of co-operation had been reached in relations between the United Nations and the ICRC which was to be formally acknowledged by the granting of UN observer status to the latter in October, 1990.

Reports by UN Secretary-General

The first of a series of reports by the Secretary-General on respect for human rights in periods of armed conflict was presented to the General Assembly in 1969. The reaction of the General Assembly was to ask the Secretary-General to follow up the subject and to give particular attention to protection of the rights of civilians and combatants in the struggles of peoples to liberate themselves from colonial or foreign domination and to achieve self-determination, and to a better application of existing conventions and rules of international humanitarian law.

The second report, in 1970, reviewed the protection given by United Nations human rights instruments—for example, the International Covenant on Civil and Political Rights—in armed conflicts. It spoke of the establishment of sanctuaries for civilians, and the banning of chemical and bacteriological weapons.

The report also gave information on the persons to protect in situations of internal conflict and guerrilla warfare. It fixed the conditions to be fulfilled to qualify for the status of "privileged belligerent" (prisoners of war as defined in the Third Geneva Convention). The Fourth Geneva Convention, the report stated, should apply to freedom fighters and it suggested that this Convention should be extended to cover conflicts which are not international in character.

In a series of resolutions, the General Assembly, in 1970:

Agreed that fundamental human rights, as accepted in international law and international instruments continue to apply in situations of armed conflict;

Set in motion the drafting of an international agreement on the protection of journalists on dangerous assignments;

Affirmed that participants in resistance movements and freedom fighters should, if arrested, be treated as prisoners of war;

Condemned bombardments of civilian populations and the use of chemical and bacteriological weapons;

Considered that seriously wounded and sick prisoners of war should be repatriated and that long-term prisoners of war should be repatriated or interned in a neutral country;

Called for humane treatment for all persons entitled to the protection of the Third Geneva Convention and for regular inspection of places of detention "by a protecting Power or humanitarian organization, such as the International Committee of the Red Cross";

Welcomed the decision of the ICRC to convene a conference on the reaffirmation and development of humanitarian law applicable to armed conflicts and emphasized the importance of close co-operation between the United Nations and the ICRC.

The General Assembly emphasized that dwellings, refuges, hospital zones and other installations used by civilians should not be the object of military operations. Civilians should not be the victims of reprisals, forcible transfers or "other assaults on their integrity". The Assembly also declared that providing international relief to civilian populations is in conformity with the UN Charter, the Universal Declaration of Human Rights, and other international human rights instruments.

In the succeeding years, the General Assembly received seven reports on human rights in armed conflict from the Secretary-General, who also submitted reports on international law covering the prohibition or restriction of the use of certain specific weapons, on the protection of journalists and on the use of napalm and other incendiary weapons.

Freedom fighters

The legal status of combatants struggling against colonial and racist regimes for the right to self-determination was defined by the General Assembly in 1973. The principles agreed were as follows:

Such struggles are legitimate and in full accord with the principles of international law.

Attempts to suppress struggles against colonial and racist régimes are incompatible with the UN Charter, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples as well as with the Principles of International Law concerning Friendly Co-operation Among States. Such attempts constitute a threat to peace and security.

Captured combatants are to be accorded the status of prisoners of war under the Third Geneva Convention.

The use of mercenaries against national liberation movements is a criminal act.

Violation of the legal status of combatants entails full responsibility in accordance with the norms of international law.

Protection of women and children

The Declaration on the Protection of Women and Children in Emergency and Armed Conflict was proclaimed by the General Assembly in 1974. The Declaration states that all forms of repression and cruel and inhuman treatment of women and children—including imprisonment, torture, shooting, mass arrests, collective punishment and destruction of dwellings and forcible eviction—committed by belligerents in the course of military operations or in occupied territories are to be considered criminal.

Protection of journalists

Under the Geneva Conventions of 1949, certain types of protection may be granted to journalists in conflict zones, but, as the General Assembly noted in 1970, some categories of journalists on dangerous assignments were not covered. With the mandate of the General Assembly and the Economic and Social Council, the Commission on Human Rights approved in 1972 a draft of an international convention on the protection of journalists engaged in dangerous missions in areas of armed conflict.

The draft was referred to the ICRC's Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law, and the point is dealt with in article 79 of Protocol I adopted by the Conference in 1977. This article states that journalists engaged on dangerous assignments should be considered as civilians and protected provided they take no action which would adversely affect their civilian status. The Protocol provides a model of an identity card to be issued by the government of the State of which the journalist is a national.

Accounting for the missing and dead

A United Nations convention on the death of missing persons entered into force in 1952 and ceased to be valid—after two extensions—in 1967. The legal difficulties arising from the absence as a result of armed conflict of persons whose death cannot be conclusively established is now covered by Protocol I to the 1949 Geneva Conventions. This states that, as a general principle, as soon as circumstances permit, and at the latest at the end of hostilities, each party to the conflict shall search for persons reported missing and report all relevant information to their opposants.

Weapons: prohibitions and restrictions

Since the St. Petersburg Declaration of 1868, repeated attempts have been made in international negotiations to prohibit or restrict the use of weapons which cause unnecessary suffering to combatants or which endanger civilian populations affected by armed conflict.

Nuclear weapons

In the earliest hours of the United Nations, the focus was on nuclear weapons. The first resolution adopted by the General Assembly, in 1946, provided for the establishment of an Atomic Energy Commission which would have as one of its tasks the formulating of proposals to eliminate nuclear weapons from national arsenals.

While the emphasis remained on disarmament, the wartime use of weapons, and the implications of their use for fundamental human rights, including the right to life, began to appear in the agendas of United Nations bodies in the 1960s.

The General Assembly declared in resolution 1653 (XVI) of 1961 that the use of nuclear and thermonuclear weapons is in direct violation of the United Nations Charter, causes "indiscriminate suffering and destruction to mankind and civilization and . . . is contrary to the rules of international law and to the laws of humanity".

Any State using these weapons is to be considered as acting contrary to the laws of humanity and as committing a crime against mankind and civilization.

This resolution was reaffirmed in 1978, 1979 and 1981.

The Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water entered into force in 1963. Although not concluded under the aegis of the United Nations, the Treaty was approved by the General Assembly. The Parties to the Treaty state that they seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and that they desire to put an end to the contamination of the environment by radioactive substances.

In the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies (1966), the Parties undertake not to put in orbit any objects carrying nuclear weapons or other kinds of weapons of mass destruction. The Moon and other celestial bodies are to be used only for peaceful purposes.

Two years later, the General Assembly commended the Treaty on the Non-Proliferation of Nuclear Weapons under which each nuclear-weapon State party undertakes not to transfer to any recipient, directly or indirectly, nuclear weapons or nuclear explosive devices, or control over them. They would not assist, encourage or induce any non-nuclear-weapon State to make or acquire nuclear weapons.

A treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the seabed, ocean floor or in its subsoil, was commended by the General Assembly and opened for signature in 1971. Parties to the treaty are bound not to site such weapons or the means of launching or testing them on or under the seabed, or the ocean floor.

In the Declaration on the Prevention of Nuclear Catastrophe, the General Assembly in 1981 said that States or statesmen who make first use of nuclear weapons commit the gravest crime against humanity. Nuclear energy, the Declaration concludes, should be used exclusively for peaceful purposes.

The development of new weapons of mass destruction, comparable in their effects to the known capacities of nuclear arms, has

been discussed several times in the General Assembly. In 1986, the Assembly called on all States, once a new weapon of mass destruction is identified, to start immediate negotiations on its prohibition and to seek a moratorium on its development.

Chemical and bacteriological weapons

On many occasions, the General Assembly has recommended that States which have not yet acceded to the 1925 Protocol on the prohibition in war of asphyxiating and poisonous gases and bacteriological methods of warfare, should do so.

The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction was commended by the Assembly in 1972, was opened for signature in 1972, and entered into force in 1975.

States which are Parties to the Convention undertake never to develop, produce, stockpile, acquire or retain "microbial or other biological agents or toxins . . . that have no justification for prophylactic, protective or other peaceful purposes" or "weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict". The Convention also provides for the destruction or conversion to peaceful purposes of such agents and weapons.

The conclusion of a convention prohibiting the development, production and stockpiling of all chemical weapons and their destruction, the Assembly decided in 1978, was one of the most urgent tasks of the international community.

Conventional weapons

Napalm bombing came under discussion at the International Conference on Human Rights in Teheran (1968). The Conference's proposal that a study should be made was supported by the ICRC. The report on napalm, other incendiary weapons and all aspects of their possible use, presented to the General Assembly in 1972, concluded that the spread of fire with these weapons affected military

and civilian targets indiscriminately, that the injuries were intensely painful, and that medical treatment was beyond the resources of most countries.

The United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects was the outcome of a conference held in Geneva in 1979 and 1980. The holding of the Conference had been recommended by the Diplomatic Conference which approved in 1977 the Additional Protocols to the 1949 Geneva Conventions.

The close connection between the Conventional Weapons Convention and other international humanitarian legislation, including the 1977 Protocols, is acknowledged by the States parties in recalling "the general principle of the protection of the civilian population against the effects of hostilities" as well as the principles of avoiding unnecessary suffering and of protecting the environment.

Three Protocols accompany the Convention. The first prohibits the use of weapons which injure by fragments not detectable by X-rays. The second seeks to prohibit or restrict the use of mines, booby-traps and devices which are actuated by remote or time controls. The third Protocol restricts the use of incendiary weapons.

Crimes against humanity

The United Nations has established rules for international co-operation in the prevention and punishment of crimes against peace, war crimes and crimes against humanity. This commitment has added a new and important dimension to international humanitarian law.

The Convention on the Prevention and Punishment of the Crime of Genocide, approved by the General Assembly in 1948 was one of the earliest steps in this field. The Convention confirms that genocide, whether committed in peace or in war, is a crime under international law which the States parties undertake to prevent and punish.

Another primary task was to formulate the principles of international law recognized in the charter of the Nürnberg Tribunal which judged war criminals after the Second World War. This formulation was prepared by the International Law Commission at the direction of the General Assembly in 1950.

The Commission also drew up a draft code of offences against the peace and security of mankind, which deals with the criminal responsibility of individuals, as, in the opinion of the Nürnberg Tribunal, "crimes against international law are committed by men, not by abstract entities, and only by punishing individuals who commit such crimes can the provisions of international law be enforced".

Statutory limitations removed

The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, prepared by the Commission on Human Rights and the Economic and Social Council, was adopted by the General Assembly in 1968 and entered into force in 1970.

States parties to this Convention undertake to abolish domestic limitations on the prosecution and punishment of these crimes and, in accordance with international law, to make extradition possible.

In 1973, the Assembly adopted nine principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity.

Broader access to the files of the War Crimes Commission was proposed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in 1987 when it discussed efforts to bring suspected war criminals to trial. The Sub-Commission urged States to ensure that such criminals receive just punishment.

Mercenaries

A mercenary, as defined in Protocol I to the Geneva Conventions does not have the right to be considered as a combatant or a prisoner of war.

The practice of using mercenaries against national liberation movements or to overthrow governments has been condemned as a criminal act by the General Assembly, the Security Council, the Economic and Social Council, and the Commission on Human Rights on several occasions from the 1960s onwards. In 1987, the Commission appointed a special rapporteur on the question of mercenaries.

Meanwhile, a committee of the General Assembly completed the work of drafting the Convention against the Recruitment, Use, Financing and Training of Mercenaries. The Convention was adopted by the General Assembly in November, 1989.

Conclusion

Armed conflict—internal and international—is the cruellest reality of the twentieth century. In spite of all the efforts that have been made to put peaceful negotiation on a permanent basis in the place of the resort to arms, the toll of human suffering, death and destruction, which wars inevitably bring, continues to grow.

The prevention of armed conflict is, and must remain, the first purpose of international co-operation. The second is to preserve humanity in the face of the reality of war. That is the intention of international humanitarian law.

In a little more than 100 years, an impressive body of international humanitarian treaty law has been established. There are today clear limits to the types of action that will be tolerated in armed conflict. However, treaties and conventions—even when solemnly ratified—cannot save lives, prevent ill-treatment, or protect the property of innocent people unless the will exists to apply these agreements in all conditions. Nor will they be effective unless everyone directly involved—combatants and civilians alike—realizes that the basic issue is one of respecting fundamental human rights.

Where to find more information . . .

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